



# WEEKLY NEWS LETTER

THE EXECUTIVE COUNCIL OF THE A. F. of L., BY INSTRUCTION OF ITS CONVENTION, DIRECTED THE OFFICERS AT HEADQUARTERS TO FURNISH A WEEKLY NEWS LETTER FREE OF COST, TO ALL OFFICIAL LABOR PUBLICATIONS.

Containing a brief summary of important matters, affecting labor, occurring in the industrial, legislative and judicial fields, and such other information that will further the development and progress of the trade union movement.

AMERICAN FEDERATION OF LABOR  
HEADQUARTERS

801-809 G ST. N. W., WASHINGTON, D. C.

FRANK MORRISON, SECRETARY      SAMUEL GOMPERS, PRESIDENT

No.7.

## SENTENCES SET ASIDE

United States Supreme Court Renders Its Decision in the New Famous Contempt Case.

## CASE ORDERED DISMISSED

Criminal Sentences Imposed in Civil Case Held by High Tribunal to Be Illegal.

Washington, May 20.--The sentences imposed on President Gompers, Secretary Morrison and Vice President Mitchell for alleged contempt of court have been swept aside by the United States Supreme Court. While these officials are gratified at a reversal of the lower courts, yet the fact that a settlement of the controversy between the American Federation of Labor and the Buck Stove and Range Company operated to eliminate important questions on which it was greatly desired that a definite decision be rendered.

Under the decision the case is remanded with the direction that the contempt proceedings instituted by the Buck Stove and Range Company be dismissed, but without prejudice to the power and the right of the supreme court of the District of Columbia to punish "by a proper proceeding, contempt, if any, committed against it."

Justice Lamar rendered the opinion, and the closing words were: "We have shown that this was a proceeding in equity for civil contempt, where only the remedial relief possible was a fine payable to the complainant. The company prayed 'for such relief as the nature of its case may require,' and when the main case was terminated by a settlement of all differences between the parties, the complainant did not require, and was not entitled, to any compensation and relief of any other character. The present proceeding necessarily ended with the settlement of the main cause of which it is a part."

The court was unanimous in the decision rendered.

It was apprehended at the time the decision was handed down that the entire matter was a closed incident, but Justice Wright, from whom a more scathing and vituperative arraignment against the federation officials was never approached in any court, apparently has retained the full vigor of his wrath. The morning following the decision he did not convene his court until he had taken the preliminary steps to again hale into his jurisdiction the men who had been relieved of the necessity of suffering the penalty of imprisonment inflicted by him by order of the supreme court. The action taken by Justice Wright is as follows:

"It appearing to this court that there is reason to believe that Samuel Gompers, John Mitchell and Frank Morrison are guilty of contempt of court of the Supreme Court of the district of Columbia in wilfully violating the terms of an order issued by the court on or about the 18th day of December, 1907, in the cause numbering 27,305, and entitled the Buck Stove and Range Company, plaintiffs, vs. the American Federation of Labor, Samuel Gompers, et al., defendants, it is ordered that J. J. Darlington, Daniel Davenport and James Beck, Esqs., be and they are hereby empowered to inquire whether there is reasonable cause to believe the said persons guilty as aforesaid, and if yea, they are hereby empowered and directed forthwith to prepare, file, present and prosecute against the persons heretofore first named charges of contempt of court to the end that the dignity of the court be established, vindicated and satisfied. WRIGHT, Justice."

This action indicates that further proceedings are in order, as the men named in Justice Wright's order were the attorneys who participated in the persecution of the American Federation of Labor in the former trials. President Gompers, when informed of the action of the Justice merely remarked: "Let them go as far as they like."

#### ----- TAFT AGAINST ORGANIZATION

Addresses Convention of Brotherhood of Railway Trainmen and Postal Clerks' Union is Discussed.

Washington, May 20.--President Taft's address to the Railroad Trainmen merely substantiates his former position relative to union labor. He, like many others, "believes in good unions," otherwise known as "mutual admiration societies," but deems it inimical to the government to permit federal employes to affiliate with the American Federation of Labor. The statements of the president are undoubtedly due to the fact that Senator La Follette and Representative Lloyd, have which introduced bills in Congress, which have two purposes, one of nullifying the order of the president which prevents employes of the government petitioning congress on their own behalf, and the other permitting them to associate themselves together for their own benefit. Great stress has been laid in the assertion that these organized postal clerks might strike. This is not in accord with the facts, for the last resort of federal employes is legislation, and furthermore, it has been demonstrated at the recent hearings that there have been strikes of government employes who were not organized, but since the same men have formed an organization the grievances were adjusted through committees instead of the objectionable form of resignation. Singular as it is, every time a pronouncement against the American Federation of Labor is delivered by government officials, added impetus is given to the organizations of railway mail clerks.

#### ----- TO PREVENT GRAFT

Washington, May 20.--Representative Randell of Texas has introduced a bill to prohibit the receiving of gifts, employment or compensation from certain corporations by senators, representatives, delegates, or resident commissioners in the congress of the United States, or senators, representatives, delegates, or resident commissioners-elect, and the judges and justices of the United States courts, and prescribing penalties of from \$100 to \$10,000, with jail sentences from six months to two years.

## GERMAN WAGE AGREEMENTS.

Number of Wage Agreements Rapidly Increasing and Providing Beneficial to Employees.

Washington, May 20.—From consular reports just issued it is stated that wage agreements between employers and employes of Germany are increasing. Reports are available for the years 1907, 1908 and 1909, and are as follows:

In 1907 there were in force 5,324 wage agreements in 111,050 plants, with 974,564 employes.

In 1908 there were 5,671 wage agreements in 120,401 establishments, affecting 1,026,435 employes.

In 1909 there were 6,578 wage agreements in force, covering 137,214 plants, and affecting 1,107,478 employes.

These reports, considered accurate and reliable, add that it is now a pronounced policy of the German trade unions to establish definite trade agreements wherever possible.

## STREET CAR SETTLEMENT

International Officers Reach Satisfactory Agreements with Officials of Company.

Washington, May 20.—A settlement with the street railway company and division No. 99, Amalgamated Association of Street and Electric Railway men, located at Winnipeg, Man., has been reached, and is more satisfactory than was thought possible. A schedule for one year has been signed, which secures the employes in all present regulations, together with an increase of two cents per hour. President Mahon negotiated the agreement.

## "OVERLAPPING" AGAIN

Jurisdictional Questions Are as Prevalent in Australia as in This Country.

Washington, May 20.—Trials, obstacles and complex problems in the labor world are pretty much the same the world over. Impetuous theorists can always prescribe a solution, but "one touch of nature makes the whole world kin", and boundary lines of countries constitute no line of demarcation. The following resolution has been adopted by the Melbourne Trades and Labor Council:

"Resolved, That the federal government be asked to amend section 59 of the arbitration act so as to give power to the Industrial Registrar to refuse registration to any organization which makes provisions in its rules to include a section of an industry of which industry an organization has been registered or is about to be registered."

## RURAL MAIL CARRIERS

Washington, May 20.—Congressman Burnett of Alabama has introduced a bill providing that all rural mail carriers shall be accorded a holiday each year on the 25th of December, when such day does not fall on Sunday, and also a bill to pay rural carriers ten cents per mile per day for each mile and fraction of a mile on routes of over twenty-four miles.

## WILSON ON THE TARIFF

Labor's Congressman Holds Attention of House of Representatives During Unusual Address.

Washington, May 20.—Congressman Wilson, labor's coal miner representative in the House, is rapidly gaining the respect and confidence of his colleagues, for it is recognized that, while he has native ability of an exceptional character, he is developing into one of the ablest debaters in Congress. His speech on the free list bill was devoted largely to the effect of the tariff on the wages of workmen. One paragraph of his address epitomizes his contention:

"The American wage earner has come to thoroughly understand that there is more virtue and more protection to him and his family in a strong, well equipped labor organization than there is in all the tariff walls that you can build. Take the trade or calling in which I was raised, a protected industry, one in which the percentage rate is possibly as high as that of any other industry in the state of Pennsylvania, where I come from, where the workers are organized, where they are able to deal with their employers as an organized body, they are paid for mining the coal at the rate of 69 cents per ton, while right in the same field, having the same protection, but where the workmen are unorganized, they are mining the coal for 35.1 cents per ton."

## BUTTONWORKERS AGAIN

Part of Employers Signing Agreement Again Repudiate and Two Hundred Are on Strike.

Washington, May 20.—The Buttonworkers of Muscatine, Iowa, are in trouble, but only a small portion of the membership is involved. Some of the employers are persisting in disregarding the agreement which they signed and about 200 of the employes resisted discrimination by ceasing work. The latest information is to the effect that the organization is determined to stand by their agreement, and will insist that the employers do the same.

## CHILDREN'S BUREAU

Hearing Held By House Committee on Labor on Bill to Establish Section Devoted to Child Welfare.

Washington, May 20.—Congressman Peters of Massachusetts appeared before the Labor Committee on behalf of a bill which he has introduced creating a bureau in the department of Commerce and Labor to be devoted to the care and improvement of child life. The objects to be attained is the study of conditions, collection of statistics and other data to the end that rational and humane laws may be enacted to protect the children of the nation, and limit child labor to the narrowest possible point.

## PRINTERS GET RAISE

Washington, May 20.—The Typographical Union at Youngstown, O., has just secured a raise of \$1 per week. The progress of this organization continues steadily and its membership is showing a flattering increase from month to month.

### MACHINISTS WINNING

Strike on in Greater New York to Establish the Eight-Hour Day Meeting With Success.

Washington, May 20.—On May 1, 10,000 machinists in Greater New York went on strike for the eight-hour day. President O'Connell states that the strike is being successfully conducted, and that sixty firms have already signed up with eight hours as the basis. The Splittdorf Magneto Co., employing 1,500 men, is one of them.

### BOILERMAKERS THERE

Men Employed in All Shops Where Marine Work Is Carried on Striking for Wage Increase.

Washington, May 20.—The Boilermakers in New York are reporting progress in their strike recently inaugurated. Thus far twelve firms employing 350 workmen have signed the agreement calling for a 50-cent per day raise.

### BAKERS WIN VICTORY

After a Long and Stubbornly Fought Contest to Unionize the Bakeries of the East Side.

Washington, May 20.—Reports from New York confirm the fact that the bakers, who have been on strike for sometime, have won a complete victory in their contest to better their conditions and unionize the bakeries of the East Side. The union's treasury is \$1,500 larger than when the strike began, for the reason that many fines have been covered into the treasury as a result of the settlement.

### "A SMOOTH DETECTIVE"

"Hawkshaw" Gets the Wrong Traveling Bag, but Fails to Return Same to Owner.

Washington, May 20.—The class of men following the Burns' lead appear to be of the usual caliber. A few days ago, Frank Ryan, President of the Bridge and Structural Ironworkers, while on a sleeper en route to a meeting to which he had been called, noticed a lynx-eyed individual particularly interested in him, but gave the matter no thought. Mr. Ryan was seated in a chair next to that occupied by a traveling jewelry salesman, and both of the passengers had traveling bags which were similar in shape and size. Mr. Ryan had noticed that the salesman had been careful to keep his grip near him, even to taking it into the smoking compartment, but while in the smoking room the porter, desiring to sweep the floor, took the salesman's grip to his seat, with his consent and knowledge. Some five minutes later the owner of the grip returned to his seat to find his traveling bag gone, and so also was the lynx-eyed gentlemen. The owner became greatly excited and a thorough search was made, but the grip was not found. In the traveling bag there was a large amount of sample gold settings, amounting to \$800.

Painters of Guelph, Ont., have secured 5½ cents per hour increase.

## BRITAIN'S PROGRESS

To Lessen Misery Among the Workers by Providing for Sickness and Unemployment.

Washington, May 20.—The Bill just recently introduced in the English Parliament by Mr. Lloyd George, creating an insurance against sickness, invalidity and unemployment is interesting.

The bill is divided into two parts dealing with insurance against (1) sickness and invalidity; (2) unemployment. The scheme is to include all wage earning men and women and young persons who are not included in the income tax paying class, that is to say, all earning less than \$15.00 a week. However, there are exceptions; namely, soldiers, sailors and teachers, who are to be provided for under special schemes; other exceptions are servants of the Crown and municipalities, with retiring pensions; Commission agents employed by more than one person, and certain classes of the most casual sort of laborers—otherwise, the scheme as a whole is compulsory, and workmen, employers and the State will all contribute in their separate proportions.

The scheme will apply both to men and women, with the proviso that married women must also be able to show that they work for wages. In addition there will be two comparatively small classes of voluntary contributors, (1) small tradesmen and men working for themselves; a large proportion of whom are in friendly societies; (2) those who have once been employed by others but afterwards work for themselves. For all these compulsory and voluntary contributors there will be one uniform class, and contributions will be as follows; Workmen, 8 cents a week; work women, 6 cents a week; employer, 6 cents a week, and the state, for men and women alike 4 cents a week. In the case of workmen receiving only \$3.75 a week their contributions will be 6 cents a week; 4 cents for those earning \$3.00 a week and 2 cents for those earning \$2.25. In these cases the employer will pay higher contributions. The benefits to be paid in return for these contributions are as follows:

(1) Free medical relief to all insured, (the doctors of the friendly societies are to be better paid and wherever a chemist is available the drugging is to be separated from the doctoring.)

(2) Weekly allowance for the first three months of illness, \$2.50 for men, \$1.87 for women; \$1.25 for men and women during subsequent three months.

(3) An allowance of \$7.50 will be paid in each case of maternity, providing the mother does not return to work within four weeks.

(4) In cases of permanent disablement allowance of \$1.25 per week, (made to both men and women up to the age of 70, when the patient will be transferred to the old age pension fund.)

(5) Special help in cases of consumption.

(6) Young persons under 16 years will not receive sick pay allowance, but will receive medical treatment and the use of the sanatoria.

During period of sickness there will be no deduction of the contribution from the actual benefits, and to prevent lapses through unemployment every contributor will be allowed three weeks a year margin



in which his contributions need not be paid, nor will the policy lapse until he has failed to pay for thirteen weeks, though after three weeks the benefits will be reduced. Nothing is paid at death, this branch of insurance being left entirely to existing agencies.

All persons of all ages up to 65 are on exactly the same scale of contribution. A heavy initial loss is expected. The contributions of the older persons will not warrant the payment of the substantial benefits in the scale at the present time. Persons over 50, therefore, will receive reduced benefits. It is contended that the heavy initial loss will be wholly wiped out in 15 years, and it is believed that at the end of that period the benefits can be substantially increased by the invested profits obtained from those who enter young.

The salient points of the unemployment insurance are as follows: First, the machinery will be the labor exchanges; Second, only two great groups of trades, the engineering and the building, will be benefited by the scheme, numbering some 2,400,000 workmen. The contributions are to be-- (1), the workmen will pay 5 cents a week; (2) the employer will pay 5 cents a week; (3) the State will pay  $\frac{1}{2}$  of the total cost. A very substantial abatement is to be made to employers if they will undertake to insure the whole of their workmen for a year. The benefits are to be: (1) In the engineering trades, \$1.75 a week for 15 weeks; (2) In the building trades, \$1.50 for fifteen weeks. No payment will be made for the first week of unemployment and none at all where it is due to the misconduct of the workmen or to strikes or lockouts.

On the average, workers must not receive more than one week's benefit for every five weeks' contributions, a stipulation to eliminate imposition. The trade unions will pay their unemployed benefit to their members and then claim from the fund the amounts which the men would have received had they been dealing with the labor exchanges.

It is intended the entire Act will come into full force on May 1, 1912.

#### UNIONS, TAKE NOTICE

Whitehead & Hoag Company, Newark, N. J., No Longer Furnish Union Labeled Union Supplies.

Washington, May 20.--The Whitehead & Hoag Company, Newark, N. J., can not furnish union-made eight-hour campaign buttons, because they do not employ any organized men and women in the department making badges, buttons and novelties.

#### TO GRANT IMMUNITY

General Sentiment in Congress Favors Permitting Federal Employees Citizens' Rights.

Washington, May 20.--Congressman E. R. Bathrick, of Ohio, has introduced a Bill in the Lower House of Congress, which if adopted, will grant immunity to the Railway Postal Clerks from being dismissed from the service under the Roosevelt-Taft order, if they testify before any of the committees in Congress relative to the conditions existing in the mail service. Congressmen who have expressed themselves are in favor of permitting any Federal employee to not only appear before the Committees in Congress, but also are unfavorable to any legislation or executive orders that deprive any citizen of the rights guaranteed to him under the constitution.

# REHEARING DENIED

United States Circuit Court of Appeals Refuse Motion to Review Decision Recently Made.

## COURT'S OPINION STRONG

Court Not Disposed to Reverse Rulings and Decide Appeal Contrary to Its Convictions.

Washington, May 20.—Immediately after the decision of the United States Circuit Court of Appeals, second district, remanding the Hatters' case to the lower court for a retrial and overturning the contentions of Loewe & Co., the attorneys for the company filed a petition for a rehearing. The court has denied the petition, and if any further action is had the Loewe people and its backers will be compelled to prosecute the case again. Emphasis is laid on certain points contained in the reversal decree, and clearly intimates the manner in which a retrial of the case should be conducted, as well as to nature of evidence that will stand the scrutiny of the higher courts. The court with warmth sustains its former decree, and adds further argument, the following passage being of especial interest:

"We did intend to hold, however, and this petition (petition for a rehearing) has not modified our opinion, that plaintiffs cannot make out a case entitling them to the direction of a verdict in their favor by showing (1) that A. B. was a paying member of the United Hatters' association; (2) that the Hatters' association was affiliated with the American Federation of Labor and governed by its constitution, rules and usages; (3) that the constitution of the Federation contains the following: 'It shall be the duty of the executive council to secure the unification of all labor organizations so far as to assist each other in any justifiable boycott and with voluntary financial help in the event of a strike or lockout, when duly approved by the executive council.'"

The court also stated that "a boycott directed solely against the transfer of goods from a manufactory to purchasers or consignees within the same state might be a justifiable boycott, so far as the anti-trust act is concerned."

The opinion states clearly the court's position with reference to evidence necessary to prove conspiracy. A blanket charge was made against a large number of defendants, and the argument was directed to the proposition that "all were responsible for all acts" complained of. In effect, according to the decision, "if all are responsible" each individual must be proven responsible. This latest decree in the Hatters' case is a matter of gratification.

## PENNSYLVANIA STRIKE

Washington, May 20.—Pennsylvania railroad shopmen in Pittsburgh district are still on strike, with more coming out daily. All machinists in the mechanical departments are out to prevent discrimination and for the right to organize; the other crafts are likewise on strike.



## FIRST ANTI-INJUNCTION LAW

Legislature of Massachusetts Enacts Statute Limiting the Power of Judges in Contempt Proceedings.

Washington, May 20.—Massachusetts is the first state enacting a law designed to curb the custom now in vogue of judges remanding alleged violators of injunctions to summary punishment. While the law is not considered as giving the relief desired, yet it is a recognition of the fact that the present use of the injunction is incompatible with rights guaranteed to the citizens under the constitution. The law was approved April 26, 1911, and is as follows:

"Sec. 1. The defendant in proceedings for violation of an injunction, where it appears from the petition filed in court alleging the violation, that the violation is an act which also would be a crime, shall have the right to trial by jury on the issue of fact only, as to whether he committed the acts alleged to constitute the said violation, and the said trial by jury shall take place forthwith, and if there is no sitting of a jury in the county where the contempt proceedings are to be heard, a venire shall issue to impanel a jury forthwith.

"Sec. 2. The provisions of this act shall not apply to proceedings in the probate courts.

"Sec. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

"Sec. 4. This act shall take effect upon its passage."

## FEDERAL COMMISSION SESSION

Investigation of Workmen's Compensation and Employers' Liability Is Being Made.

Washington, May 20.—The commission that has been appointed to investigate workmen's compensation and employers' liability held its first public hearing on May 10. The members of the commission present were Senators Sutherland and Chamberlain and Congressman Reuben O. Moon. The commission announced that the legal phases concerning constitutional requirements and limitations would be preferably discussed. Mr. Thom, General Counsel for the Southern Railway, reported in behalf of twenty-one railroad attorneys, who had requested him to ask for a postponement of the hearings on the legal phases until some time in the second week in June for the purpose of giving them an opportunity to learn the trend of thought contained in the supreme court decisions that are expected on May 15 or 29 dealing with the employers' liability law (the celebrated Connecticut Hoxie case), and the safety appliance contentions in which the fine technical difference is being made between the vehicle, namely, the car, and the instrument, namely, the roadbed, tracks, etc., is expected to be clearly defined by the court, Congressman Lewis (coal miner) gave a preliminary statement, and stated that he would appear at the next session. James Emery, attorney for the manufacturers' association, also appeared, his position, of course, being understood by everyone. The commission will probably meet again some where near June 15.

The Sheet Metal Workers of Youngstown, O., have secured an increase of 25 cents per day.

## HOW NATURAL

Washington, May 20.--The National Association of Manufacturers, in session in New York, has taken action to oppose the La Follette bill in relation to the removal of government employes without a hearing, and allowing them to become members of the American Federation of Labor. The delegates to the convention also declared that the eight-hour day had led to extravagance in government expense.

## IN WASHINGTON TO TESTIFY

Carl Van Dyke, the Demoted St. Paul, Minn., Railway Mail Clerk, Here to Appear Before Civil Service Reform Committee.

Washington, May 20.--That the postoffice department have a controversy on its hands that will not be easily disposed of is evident from the fact that information is being collected which will put the department in an unfavorable light. Carl Van Dyke, one of the mail clerks demoted for "pernicious activity," is in Washington to give in detail the situation from the standpoint of the railway mail clerks of his district. Mr. Van Dyke alleges that his mail has been tampered with in the federal building at Grand Forks, N. D., and he has caused the arrest of Postoffice Inspectors Carl Egge and George H. Drake.

## STONECUTTERS TO THE FORE

Washington, May 20.--The Journeymen Stone Cutters Association of North America is making splendid progress this year; increases of wages having been gained by 13 of its unions during the last four months. The general average per hour throughout the entire jurisdiction of this organization is approximately fifty cents. A raise of approximately six cents per hour has been gained in Akron, Ohio; Buffalo, N. Y.; Cedar Rapids, Iowa; Indianapolis, Ind.; Sandstone, Minn.; Toledo, Ohio; Wheeling, W. Va.; Youngstown, Ohio; Calgary, Canada; Nashville, Tenn.; Port Arthur, Ontario; Rochester, N. Y.; and Victoria, B. C.

## MERCHANT MARINE

Senator Newlands Urges Legislation at Extra Session Looking Toward Self-Sustaining Navy.

Washington, May 20.--In the closing days of the last congress Senator Newlands introduced a resolution containing a program for the extra session and dealing with numerous important subjects. One item on the list is worthy of mention, and is as follows:

"Providing for the upbuilding of the American merchant marine by free entry to American registry of all ships, wherever constructed, and by the construction of auxiliary ships for our navy, to be used in time of war in aid of the fighting ships, and in time of peace in establishing new routes of commerce through lease to shipping companies, such legislation to involve the temporary diminution of the construction of fighting ships and the substitution of auxiliary ships, with a view to the creation of a well proportioned and self-sustaining navy."